

Practitioner's Docket No. U-013560-1

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TECH CENTER 1600/2900  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Noel John DE SOUZA, et al  
Application No.: 09/919,347 Group No.: 1625  
Filed: July 31, 2001 Examiner: M. Seaman  
For: INHIBITORS OF CELLULAR EFFLUX PUMPS OF MICROBES

Assistant Commissioner for Patents  
Washington, D.C. 20231

To GVR

REQUEST AND FEE TO DELETE AND/OR  
ADD TO INVENTOR(S) ERRONEOUSLY NAMED OR NOT  
NAMED IN DECLARATION  
--NONPROVISIONAL APPLICATION--  
(37 C.F.R. SECTION 1.48(a))

1. This Request is to correct under 37 C.F.R. Section 1.48(a) the inventor(s) originally named in the declaration filed on December 7, 2001 (date).

04/17/2002 CNGUYEN 00000052 09919347

01 FC:122

130.00 OP

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: April 9, 2002

FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_-\_\_\_\_.

Signature

JANET I. CORD

(type or print name of person certifying)

2. Addition and/or Deletion of Inventor(s)

*(check and complete all applicable items)*

☐ Add the following previously unnamed person(s) as inventor(s) of this application:

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---

---

☒ Delete the following previously incorrectly named inventor(s) \_\_\_\_\_  
Habil Fakhruddin KHORAKIWALA

3. Attached is

(a) A statement from:

*(check items below which apply)*

☐ each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. Section 1.48(a)(1).

☒ each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. Section 1.48(a)(1).

(b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. Section 1.63 (or as permitted by Sections 1.42, 1.43, OR 1.47). 37 C.F.R. Section 1.48(a)(2).

(c) written consent of the assignee *(if any of the original inventors executed an assignment)*. 37 C.F.R. Section 1.48(a)(4).

(d) (optional)

*(check the following item, if all the inventor(s) remaining after this Request is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)*

☐ Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee Payment

The fee required by 37 C.F.R. Section 1.17(i) is paid as follows:

☒ Enclosed is a check for \$130.00.

☒ Charge Account 12-0425 for any fee deficiency.

☐ Charge Account \_\_\_\_\_ the sum of \$130.00.



**SIGNATURE OF PRACTITIONER**

Reg. No. 33,778

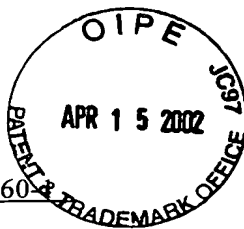
JANET I. CORD

*(Type or print name of practitioner)*

Tel. No.: (212) 708-1935

P.O. Address  
c/o Ladas & Parry  
26 West 61 Street  
New York, NY 10023

Customer No.:



Practitioner's Docket No. U013560

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: NOEL JOHN DE SOUZA

Application No.: 09/919,347

Group No.: 1614

Filed: JULY 31, 2001

Examiner:

For: INHIBITORS OF CELLULAR EFFLUX PUMPS OF MICROBES

**Assistant Commissioner for Patents**

**Washington, D.C. 20231**

**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING DELETED BY  
REQUEST (37 C.F.R. Section 1.48(a))**

*NOTE: Nothing more than a simple statement is required. The examiner will determine only whether the statement contains the required language and will not make any comment as to whether or not it appears that there was in fact a deceptive intention. M.P.E.P., Section 1481, 7th Edition.*

I, the person who is being ☒ deleted ☐ added as an inventor by the Request and Fee (37 C.F.R. Section 1.48(a)) being submitted to correct the inventorship of this application, declare that the inventorship error in failing to include my name or including my name as an inventor occurred without any deceptive intention on my part.

☐ My addition is necessitated by amendment of the claims.

Date ☒ 05.03.2002

Habil F. Khorakiwala

Type name of inventor being deleted

☒ [Signature]  
Signature



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Practitioner's Docket No. U013560-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: NOEL JOHN DE SOUZA  
Application No.: 09/919,347 Group No.: 1614  
Filed: JULY 31, 2001 Examiner:  
For: INHIBITORS OF CELLULAR EFFLUX PUMPS OF MICROBES

Assistant Commissioner for Patents  
Washington, D.C. 20231

ASSENT OF ASSIGNEE TO CORRECTION DELETION  
OF INVENTOR(S)

Assignee: WOCKHARDT LIMITED  
(type or print name of assignee)

WOCKHARDT TOWERS, BANDDRA-KURLA COMPLEX, BANDRA (EAST), MUMBAI  
Address  
40005, INDIA

Assignment

[X] recorded on OCTOBER 19, 2001  
Reel 012279  
Frame 0841

[ ] recorded herewith.

[ ] A separate "ASSIGNMENT" (DOCUMENT) COVER SHEET is  
attached.

or

[ ] FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship of the attached Request.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

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Commissioner for Patents, Washington, D.C.  
20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and  
Trademark Office.

Date: April 9, 2002

Signature

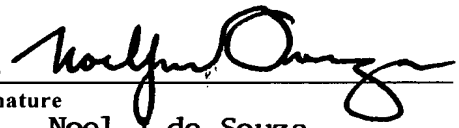
JANET I. CORD

(type or print name of person certifying)

**ASSIGNEE CERTIFICATION**

A "STATEMENT UNDER 37 C.F.R. section 3.73(b)" is attached.

Date (X) March 5, 2002

(X)   
Signature  
Noel J de Souza  
(X) Director-R&D  
*(type or print name and title of person authorized  
to sign on behalf of assignee)*



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: NOEL JOHN DE SOUZA

Application No.: 09/919,347

Group No.: 1614

Filed: JULY 31, 2001

Examiner:

For: INHIBITORS OF CELLULAR EFFLUX PUMPS OF MICROBES

Patent\*: \_\_\_\_\_

Issue Date: \_\_\_\_\_

Reexamination No.: \_\_\_\_\_

Issue Date: \_\_\_\_\_

Reissue: \_\_\_\_\_

Issue Date: \_\_\_\_\_

\*NOTE: Insert name(s) of inventor(s) and title for patent.

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. § 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

NOTE: 37 CFR 3.73(b) states: "When an assignee seeks to take action in a matter before the Office with respect to a patent application, ..., patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10\*

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: April 9, 2002

Signature

JANET I. CORD

(type or print name of person certifying)

\*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: "Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18." Notice of Oct. 10, 1997, 62 Fed. Reg. 53,131, at 53,174.

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

## IDENTIFICATION OF ASSIGNEE

2. WOCKHARDT LIMITED

Name of assignee

CORPORATION

Type of assignee, e.g., corporation, partnership, university, government agency, etc.

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

*"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).*

*"(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.*

*"(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."*

*(complete the following, if applicable)*

☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

## BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. ☒ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at  
Reel 012279 Frame 0841



2. ☐ An assignment (document) separately being submitted for recordal herewith.

AND/OR

- B. ☐ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: \_\_\_\_\_  
Name of inventor(s)  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_
2. From: \_\_\_\_\_  
Name of inventor(s) or assignee  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_
3. From: \_\_\_\_\_  
Name of inventor(s) or assignee  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

(check item below, and add details, if applicable)

- ☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

COPIES OF DOCUMENTS IN CHAIN OF TITLE

(complete this item, if copies are being sent)

- ☒ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

<input checked="" type="checkbox"/>	A	<input checked="" type="checkbox"/>	1	<input type="checkbox"/>	2	
<input type="checkbox"/>	B	<input type="checkbox"/>	1	<input type="checkbox"/>	2	<input type="checkbox"/> 3

(X)  
date

March 5, 2002

(X)

Signature of authorized person

(X) Noel J de Souza

(type or print name of authorized person)

(X) Director-R&D

Title of authorized person

Reg. No.:

\_\_\_\_\_  
**SIGNATURE OF PRACTITIONER**

Tel. No.: (    )

\_\_\_\_\_  
*(type or print name of practitioner)*

Customer No.:

\_\_\_\_\_  
P.O. Address

\_\_\_\_\_  
c/o Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023